

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JERMAINE D. WATKINS,

Plaintiff,

v.

CATHERINE M. BAUM, ARNP.,
ELIZABETH G. SUITER, FMD,
MICHAEL R. ELLEN, UROLOGIST/
SURGEON, MIKE WATKINS, HCM,
STEVE HAMMOND, MD,
MUHAMMAD A. KHURSHID, MD,
TAMARA J. ROWDEN GPM,

Defendants.

No. C11-5494 RJB/KLS

ORDER DENYING MOTION TO
COMPEL

Before the Court is Plaintiff's Motion for An Order Compelling Discovery. ECF No. 83. The Court finds that the motion should be denied because Plaintiff did not include a certification that he conferred with counsel for Defendants before he filed his motion.

While a party may apply to the court for an order compelling discovery "upon reasonable notice to other parties and all persons affected thereby," the motion must also include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make the discovery in an effort to secure the information or material without court intervention." Fed. R. Civ. P. 37(a)(2)(B). In addition, "[a] good faith effort to confer with a party or person not making a disclosure or discovery requires a face-to-face meeting or a telephonic conference." Local Rule CR 37(a)(2)(A).

ORDER- 1

1 The Court anticipates that the parties will confer and make a good faith effort to resolve
2 their discovery disputes without Court interference. If the parties cannot amicably resolve their
3 issues, Plaintiff may file a motion to compel, and shall include a certification stating that their
4 efforts were unsuccessful, and shall identify those areas of disagreement that remain unresolved.
5 The Court will not address any motion which lacks such a certification.

6 Accordingly, it is **ORDERED**:

7 (1) Plaintiff's motion to compel (ECF No. 83) is **DENIED**.

8 (2) The Clerk of the Court shall send a copy of this Order to Plaintiff and to counsel
9 for Defendants.
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11 **DATED** this 26th day of December, 2012.

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15 Karen L. Strombom
16 United States Magistrate Judge
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